MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

JANUARY 19, 2016

CALL TO ORDER:
Mayor Patino called the meeting to order at 5:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, and Chief Deputy City Clerk Garietz.

PUBLIC COMMENT:
There were no requests to speak.

RECESS:
Mayor Patino recessed to a Closed Session at 5:30 p.m. for:

1) Conference With Legal Counsel - Existing Litigation pursuant to Section 54956.9 Subdivision (d)(1) of the Government Code. Environment In The Public Interest, a California nonprofit; and San Luis Obispo Coastkeeper v. City of Santa Maria, U.S. District Court, Central Division of California, Case No. 2:15-cv-08600;

2) Conference With Legal Counsel – Existing Litigation pursuant to Section 54956.9 of Subdivision (d)(1) the Government Code. Ruben Flores v. City of Santa Maria, WCAB Case No. ADJ7412624;

3) Conference With Legal Counsel – Worker's Compensation Claim pursuant to Section 54956.95 of Subdivision (d)(1) the Government Code. Claimant: Carlos Rollon (Claim No. SATM-547928); Agency Claimed Against: City of Santa Maria;

4) Conference With Legal Counsel – Existing Litigation pursuant to Section 54956.9 of Subdivision (d)(1) the Government Code. Sally Nunes v. City of Santa Maria, WCAB Case No. ADJ9567706; and

5) Conference With Legal Counsel – Anticipated Litigation pursuant to Section 54956.9 of Subdivision (d)(2) the Government Code: anticipate significant exposure to litigation pursuant to Government Code Section 54956.9 (d)(2): 1 case.

INVOCATION:
Dorothy Mogavero, with the Crestwood Christian Fellowship, gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Waterfield led the Pledge of Allegiance.

RECONVENE THE MEETING AND CALL TO ORDER:
Mayor Patino reconvened the meeting and called the meeting to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, Principal Civil Engineer Beas, City Librarian Housel, Interim Fire Chief Kenley, Police Chief Martin, Director of Recreation & Parks Posada, Director of Utilities Springer, Deputy City Manager Stilwell, Deputy City Manager Tse, Director of Administrative Services Visé, Assistant City Attorney Sinco, and Chief Deputy City Clerk Garietz.

CLOSED SESSION REPORT:
Following the Closed Session, the City Attorney reported that there was no reportable action for any of the five Closed Session items.

1. PROCLAMATIONS/COMMENDATIONS/PRESENTATIONS:

A. LIBRARY VOLUNTEER OF THE MONTH

Councilmember Zuniga presented a certificate of appreciation and plaque to library volunteer Sara Lougee and thanked her for her volunteer efforts as a member of the Library Board of Trustees.

City Librarian Housel thanked Ms. Lougee for helping to reinstate the homework help volunteer program.

B. PROCLAMATION – RESPECT FOR LIFE WEEK

Councilmember Waterfield presented a proclamation in honor of Respect for Life Week, January 17th through 23rd. Jon Lindgren, President of Right to Life Central Coast, accepted the proclamation.

2. PUBLIC COMMENT PERIOD

Mike Jackson, representing the Community Action Commission – Headstart Program, invited Councilmembers to participate in a reading program for preschool age children.

George Alvarez expressed his concern about the City's recent gang activity.

Tim Durnin spoke about recent gang activity in the City and expressed concern that there was not more outrage from the community, the Council, and City staff.

Mayor Patino commented that the City Council actually is outraged by recent violence in the City. She also stated the City Council stands behind the Police Department and the way they have been handling the situation. She also stated the community, City Council, and City staff have been proactive in looking for solutions.

City Manager Haydon commented that the City is taking the recent violence very seriously. However, due to the sensitivity and confidentiality of the cases, Council and staff are not at liberty to discuss the cases publically.

Councilmember Waterfield reiterated how concerned the City Council is with the recent violence.

Director of Utilities Springer presented an update on the City of Santa Maria's rainfall measures and water conservation efforts through December. To date, the City has had about 3.83 inches of rainfall (69 percent of normal). Cumulative savings are above those required by the State and, in December, the City's water conservation was at 22 percent.

3. CONSENT CALENDAR:

Councilmember Waterfield announced she would be abstaining from voting on Item 3E (Warrants) due to a financial conflict of interest.

Consent Calendar Items 3A through 3G (except Item 3E) were approved on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Item 3E (Warrants), was approved on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 4-0-1

AYES: Councilmembers Orach, Boysen, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Waterfield

A. ORDINANCES

The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the regular Meeting of the City Council of January 5, 2016, were approved as submitted.

C. SIENA AT WESTGATE RELEASE OF FAITHFUL PERFORMANCE BONDS
The City Council accepted as complete the Public Improvements associated with Siena at Westgate, Tract 5892, and authorized the release of a Faithful Performance Bond [#104777252] in the reduced amount of $183,823 posted in the form of a Surety to guarantee the construction and installation of public improvements; and 2) ordered that the Contractor, Labor and Material Bond in the amount of $1,058,500 and the Guarantee and Defective Material Bond in the amount of $211,700 be retained for six months and one year, respectively, from the date of the release of the Faithful Performance Bond for Public Improvements.

D. LA VIGNE II RELEASE OF FAITHFUL PERFORMANCE BONDS
The City Council accepted as complete the Landscape and Irrigation improvements associated with La Vigna II, Tract 5964, and authorized the release of a Faithful Performance Bond for Landscaping and Irrigation [#4376940] in the reduced amount of $15,000 posted in the form of a Surety to guarantee the installation of frontage development on Marsala Avenue, Westgate Road, Battles Road, and a multi-purpose trail adjacent to the eastern boundary of La Vigna II Subdivision; and 2) ordered that Contractor, Labor and Materials Bond in the amount of $30,000 and the Planting and Irrigation Maintenance Bond in the amount of $6,000 be retained for six months and one year, respectively, from the date of the release of the Faithful Performance Bond for Landscaping and Irrigation.

E. WARRANTS
Warrant Nos. 197710 to 198183 totaling $3,140,677.88 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 190277, 192843, 196822, 197334, 197357, and 195943 were cancelled.

F. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

G. ADOPTION OF ORDINANCE NO. 2016-01 – PARKING OF COMMERCIAL VEHICLES
The City Council conducted the second reading and adopted Ordinance No. 2016-01 amending Sections 5-6.202(h) and 12-29.10 of the Santa Maria Municipal Code regarding commercial vehicles on residential properties.

Ordinance No. 2016-01 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA AMENDING SECTIONS 5-6.202(h) AND 12-29.10 OF THE SANTA MARIA MUNICIPAL CODE.

Mayor Patino indicated that she would reorder the agenda and move Agenda Items 8 (All-America City Committee Discussion) and 9 (Annual Appointments to Various Boards and Committees) to be heard before the Public Hearing items, as several of the Committee nominees were in the audience.

8. ALL-AMERICA CITY COMMITTEE DISCUSSION. Director of Recreation and Parks Posada gave a presentation as detailed in the Council Agenda Report. Staff is requesting to repurpose the Committee away from a Brown Act-appointed body of the City Council. Mr. Posada indicated that in 1998, he had taken a trip to Alabama to compete in the All-America City competition. The City of Santa Maria was awarded the title of All-America City in recognition of community activities taking place at the time. Following that, the City Council took steps to create an All-America City Committee to further the mission of the All-America City. Since then, the Committee has fallen under the Brown Act structure and has been overseen by the Council.

Over the years, committee attendance has been an issue and the form, function and purpose of the Committee has been in continual transition. Consequently, staff recommends removing the Committee from under the umbrella of the Brown Act, and placing responsibility for the Committee on the Recreation and Parks Department. The committee size would decrease to three members instead of five. The focus of the Committee would be the Spirit of Santa Maria Award and the Neighbors Helping Neighbors Program.

Public input
Rebecca Carey, an All-America City Committee member, spoke about activities the Committee is involved with and invited everyone to join the Committee's Facebook page.

Council discussion
Mayor Patino commented on the importance of the All-America City Committee, its presence at events, and its outreach to the Community. She also expressed her interest in keeping the Committee to four or five people who would represent various sections of the City.

Director Posada indicated that the Recreation and Parks Commission would sit down with Committee members to decide how the Committee would like to go forward.

Councilmember Orach commented on the history of the Committee and stated he looked forward to watching the Committee take shape under the umbrella of the Recreation and Parks Department.

Resolution No. 2016-06 was adopted repurposing the All-America City Committee away from a Brown Act-appointed body of the City Council; and authorizing its activities to be overseen by the Recreation and Parks Commission and Department, on motion by Councilmember Waterfield, and seconded by Councilmember Orach, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2016-06 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE REPURPOSING OF THE ALL-AMERICA CITY COMMITTEE AWAY FROM A BROWN ACT APPOINTED BODY OF THE CITY COUNCIL AND AUTHORIZING ITS ACTIVITIES TO BE OVERSEEN BY THE RECREATION AND PARKS COMMISSION AND DEPARTMENT.

APPOINTMENTS

9. ANNUAL APPOINTMENTS TO VARIOUS BOARDS AND COMMITTEES. Chief Deputy City Clerk Garietz reported the City Council would be making appointments to the Block Grants Advisory Committee, the Measure U2012 Citizens' Oversight Committee, the Planning Commission, the Santa Maria Community Television Board of Directors, and the All-America City Committee; and directing staff to continue advertising vacancies on all committees with current openings.

Block Grant Advisory Committee
This Committee is comprised of fifteen members nominated by individual Councilmembers, appointed by the Mayor, and confirmed by the City Council. The Block Grant Advisory Committee assesses the community's needs, conducts public workshops and hearings, reviews applications for funding, and makes recommendations to the City Council for the allocation of funds under the Community Development Block Grant Program.

Three vacancies currently exist on the Committee. Incumbent Robert Litzinger has asked to be reconsidered since his initial application is less than a year old, and one new application was received from the following applicant:

Incumbent	*Previously Nominated by*
*Rob Litzinger	Former Mayor Lavagnino (Patino)

New Applicant
Tahir Masood

Councilmember Waterfield indicated that she was not prepared to make a nomination, and Mayor Patino indicated the same. Councilmember Orach nominated Tahir Masood to fill an unexpired term ending in July 2018.

On motion by Mayor Patino, Councilmember Orach's nomination of Tahir Masood to the Block Grants Advisory Committee to fill an unexpired term ending in July 2018 was accepted, seconded Councilmember Orach, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Measure U2012 Citizens' Oversight
The Committee ensures transparency and oversight of the revenue generated by and expenses made in relation to Measure U2012. Applicants are nominated by individual Councilmembers, and confirmed by the City Council.

One appointment was made by Councilmember Orach to fill an unexpired four-year term ending January 2017 and/or coterminous with his term. One new application was received from the following applicant:

New Applicant
Donna Randolph

On motion by Mayor Patino, Councilmember Orach's nomination to appoint Donna Randolph to the Measure U2012 Citizens' Oversight Committee to fill an unexpired term ending in July 2017 was accepted, seconded Councilmember Waterfield, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Staff will continue to solicit applications until sufficient applications are received to fill the unexpired term ending in January 2019, previously nominated by Councilmember Waterfield.

Planning Commission
The Commission advises the City Council on planning matters and implements planning policies adopted by the City Council. Committee members must be City residents. Applicants are nominated by individual Councilmembers, appointed by the Mayor, and confirmed by the City Council.

The following Commission Members have recently resigned from the Committee:

Members	*Nominated By*
Fred Quigley	Councilmember Boysen
Rodger Brown	Councilmember Orach

Four new applications were received from the following:

New Applicants
Tim Seifert
Carl Holmquist
James Ellis, Jr.
Gayle Pratt

On motion by Mayor Patino, Councilmember Boysen's nomination to appoint Gayle Pratt to the Planning Commission to fill an unexpired term ending in January 2019, and Councilmember Orach's nomination to appoint Tim Seifert to fill an unexpired term ending in January 2017 were accepted, seconded by Councilmember Orach, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Gayle Pratt and Tim Seifert were sworn in by Chief Deputy City Clerk Garietz.

Santa Maria City Television Committee
This three-member Board sets policies and regulations relative to public, educational and governmental (PEG) access and serves as an appeals board for sanctions levied by the PEG Station Manager against members. Members are appointed by the Mayor and confirmed by the City Council.

The term of office for the following incumbents are expiring:

Incumbents
Gina Keough – *Did not reapply*
Jeanne Sparks

Two vacancies currently exist on the Committee for two-year terms ending in January 2018. Incumbent Jeanne Sparks has reapplied, and no other applications were received.

On motion by Mayor Patino, seconded by Councilmember Waterfield, Jeanne Sparks was appointed to the Santa Maria City Television Committee to fill a two-year term expiring in January 2018, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

All-America City Committee
This five-member committee works to enhance, maintain, and evaluate the civic health and pride of the community through partnerships and creative approaches, ensuring collaboration with the public and private sector, in the true spirit of the All-America City Program. Members are nominated by individual Councilmembers, appointed by the Mayor, and confirmed by the City Council.

The term of office for the following incumbents are expiring:

Incumbents
Bailey Hudson – *Did not reapply*
Tahir Masood – *Did not reapply*

Two vacancies currently exist on the Committee for two-year terms ending in January 2018. One new application was received from the following:

New Applicant
Peter Burgett

On motion by Mayor Patino, seconded by Councilmember Boysen, Peter Burgett was appointed to the All-America City Committee to fill a two-year term expiring in January 2018, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Staff was directed to continue advertising current vacancies on City Boards, Committees, and Commissions until filled.

4. GENERAL PLAN LAND USE MAP AMENDMENT AND ZONE CHANGE FOR BETTERAVIA PLAZA (GPZ2014-0002, DA 2015-0001). The City Council considered a recommendation of the Planning Commission to approve an Environmental Impact Report and General Plan Land Use Map Amendment of a 55 acre site located on the north side of West Betteravia Road and East of South Blosser Road **FROM** LI (Light Industrial) **TO** CC (Community Commercial) on 27.7 acres, CPO (Commercial Professional Office) on 5.6 acres, and HDR-17 (High Density Residential 17 du/ac) on 15.98 acres, and Zone Change **FROM** PD/M-1 (Planned Development/Light Manufacturing) **TO** PD/C-2 (Planned Development/General Commercial) on 27.7 acres, PD/CPO (Planned Development/Commercial Professional Office) on 5.6 acres, and PD/R-3 (Planned Development/High Density Residential) on 15.98 acres; and a Development Agreement (DA2015-0001) for Betteravia Plaza to allow up to 285,000 sq. ft. of retail commercial development, 75,000 sq. ft. of office development, and 272 residential units.

Community Development Director Appel gave a presentation as detailed in the Council Agenda Report. The project site is located adjacent to the Police Department between Carmen Lane and Betteravia Road, with Blosser Road to the west and the railroad tracks to the east. Staff is proposing rezoning the land from Light Industrial to General Commercial, Commercial Professional Office, and High Density Residential. Staff also proposes entering into a Development Agreement with the Applicant to establish permitted uses on the property.

Components of the project allow for up to 285,000 square feet of retail commercial space (the largest of which could be 50,000 square feet); 75,000 square feet of office space; and roughly 270 market

rate multi-family residential units. The first phase of the development would be a four acre site adjacent to the Police Department.

The Development Agreement will help the City establish clear and precise guidelines for potential buyers. The project should be completed in ten years. At the most, two drive-thru restaurants and one gas station will be allowed. Plans also include incorporating childcare and a fitness center into the project.

Characteristics of the site will include quality architectural design throughout, a walkable street network, a better interface to the neighborhood on the north end, and an open space opportunity.

The Environmental Impact Report has been prepared with a 30-day Notice of Preparation and a 45-day circulation of a draft document. Impacts to be taken into consideration with the project include air pollution (both operational and construction) and greenhouse gas (long and short-term). A signalized intersection will be place at Western to deal with the increase in traffic.

Councilmember Waterfield asked what the requirements are to mitigate the greenhouse gas issue and if was costly to take those steps.

Community Development Director Appel responded that greenhouse gas limitations are set by the State and staff has been able to incorporate about fifteen steps into the project that will bring the level of greenhouse gas to the level set by the State. Low-energy street lights will be incorporated along with gas and solar energy heating systems for water. Tankless water heaters along with recycled and recyclable resources will be used to keep the project as "green" as possible.

Councilmember Zuniga asked what the non-residential open spaces would be like.

Community Development Director Appel responded that the non-residential open spaces would be incorporated into the office and retail landscaping and would include nice paths and walking spaces from one component to the other.

Applicant's comments
Dan Blough, representing the Developer, commented that he thought greenhouse gas emissions would be reduced as the project would allow nearby residents to not have to leave the area to get groceries or run errands. He also commented that the project would take several years to complete as it is fairly large. Mr. Blough added that, on the very north end of the park, there would be a walking path that might make up more than the required 15 percent landscaping in the final project.

Written communications
Chief Deputy City Clerk Garietz indicated that staff had received one written communication from Mr. Rob Himoto, President of the Santa Maria Valley Railroad. Staff provided Council a copy for review. Mr. Himoto's letter opposes the Betteravia Plaza General Plan Land Use Map Amendment, the Zone Change, the Development Agreement, and the Planned Development Permit on the north side of West Betteravia Road, east of South Blosser Road citing that continued zone changes along the right-of- way greatly increases problems of trespassing, trash dumping, graffiti, and damage to railroad property, along with complaints about noise from the railroad and parked rail cars which have significantly increased due to the upturn in rail traffic. He also reinforced the Railroad's position against a potential Carmen Lane Crossing indicating that the only acceptable crossing would be either over or under the railroad tracks, not an at-grade crossing.

Public hearing
Mayor Patino opened the Public Hearing at 7:44 p.m.

Mike Grogan, representing the Santa Maria-Bonita School District, spoke in favor of the project, indicating it will provide additional facilities to the community and schools.

Councilmember Boysen asked if there would be a Carmen Lane crossing.

Community Development Director Appel responded that a consultant will be hired to work on the installation of a crossing.

Hearing no other requests to speak, Mayor Patino closed the Public Hearing at 7:49 p.m.

Council discussion
Councilmember Waterfield asked if the letter from Mr. Himoto had been addressed.

Director of Community Development Appel responded that it had been difficult to reach railroad representatives. The Planning Commission did take into consideration a similar letter from Mr. Himoto, but felt the project should go forward.

Councilmember Zuniga commented that she hoped future projects would offer more open space and make as little impact as possible on available agricultural land in the area.

Councilmember Boysen commented that he thought the proposed mixed-use project would be a good addition to the City.

Resolution No. 2016-02 was adopted certifying the Betteravia Plaza Final Environmental Impact Report, and adopting a Statement of Overriding Considerations and a Mitigation Monitoring Program, on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2016-02 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CERTIFYING THE BETTERAVIA PLAZA FINAL ENVIRONMENTAL IMPACT REPORT (SCH#2015011029), MAKING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING PROGRAM.

Resolution No. 2016-03 was adopted amending the General Plan Land Use Policy Map designation for the 55 acre site FROM LI (Light Industrial) designation on approximately 55 acres TO CC (Community Commercial) designation on 27.7 acres, CPO (Commercial Professional Office) designation on 5.6 acres, and HDR-17 (High Density Residential 17 du/ac) designation on 15.98 acres, on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2016-03 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING THE LAND USE POLICY MAP FOR APPROXIMATELY 55 ACRES, LOCATED AT THE NORTH SIDE OF WEST BETTERAVIA ROAD, EAST OF SOUTH BLOSSER ROAD.

Ordinance No. 2016-03 was introduced by title only for first reading and continued to the next meeting for second reading and adoption amending the Official Zoning Map for the 55-acre project site FROM PD/M-1 (Planned Development/Light Manufacturing) zoning district on approximately 55 acres TO PD/C-2 (Planned Development/General Commercial) zoning district on 27.7 acres, PD/CPO (Planned Development/Commercial Professional Office) zoning district on 5.6 acres, and PD/R-3 (Planned Development/High Density Residential) zoning district on 15.98 acres, on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2016-03 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP ON 55.17 ACRES, LOCATED AT THE NORTH SIDE OF WEST BETTERAVIA ROAD, EAST OF SOUTH BLOSSER ROAD.

Ordinance No. 2016-04 was introduced by title only for first reading and continued to the next meeting for second reading and adoption approving a Development Agreement (DA2015-0001) with Steve Zimmerman, Palmetto Group, LLC and Valley Oaks Investment, LLC. on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2016-04 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT (DA2015-0001) FOR STEVE ZIMMERMAN, PALMETTO GROUP, LLC AND VALLEY OAKS INVESTMENT, ON THE 55.17 ACRE PROPERTY LOCATED AT THE NORTH SIDE OF WEST BETTERAVIA ROAD, EAST OF SOUTH BLOSSER ROAD.

Mayor Patino took a moment to introduce Life ScoutCaleb John from Troop 86 who was earning his Communications Merit Badge by attending the meeting.

5. SANTA MARIA TOURISM IMPROVEMENT DISTRICT. Deputy City Manager Stilwell gave a brief presentation as detailed in the Council Agenda Report. On November 17, 2015, the intent to form the Tourism District was approved. On January 5, 2016, the first public hearing took place. The item this evening is the final opportunity for public testimony regarding the establishment of the Santa Maria Tourism Improvement District (SMTID) and a levy of a two percent (2%) assessment on lodging businesses. Lodging businesses in town have been given the opportunity to protest the SMTID, as well. The assessment is expected to generate approximately $600,000 annually to be used toward destination marketing for the City of Santa Maria.

Councilmember Waterfield asked how the hoteliers would know to begin collecting the new fees. Deputy City Manager Stilwell responded that there had been on-going meetings with lodging businesses during the process of creating the SMTID. The Chamber had also been in contact with them. Should Council adopt the resolution, a mailing will go out to all lodging businesses in the area informing them to begin collecting the two percent assessment, effective February 1st.

Councilmember Waterfield also asked what steps had been taken so that the money would immediately be spent on destination marketing.

Glenn Morris, CEO of the Santa Maria Valley Chamber of Commerce, responded that there had been several discussions with lodging businesses to identify their priorities and interests. In addition, a consultant has been hired to determine key messages that will be used as part of the marketing strategy. There will be a 60-day turnaround time between the time the hotels acquire the two percent and transfer it to Chambers. Therefore the marketing will really begin in April or May.

Councilmember Waterfield asked what will happen in five years when the SMTID is up for review.

Mr. Morris responded that, should the SMTID be discontinued at any time, any remaining funds will be proportionally redistributed to their respective lodging businesses.

Councilmember Waterfield asked when Council would hear annual reporting results.

Mr. Morris responded that the Chambers provides the City two reports a year. The first (early in the year) is a written mid-year progress report, the second is a year-end presentation to Council in the Fall of each year. The 2016 Fall presentation will be the first report on activity from the SMTID.

Petitioner's comments
Jean-Luc Garon commented that marketing takes time and results will not be seen immediately. He also said he thought the SMTID will be an excellent opportunity to put Santa Maria on the map for tourists and educate travelers about the City.

Written communications
There were no written communications.

Public hearing
Mayor Patino opened the Public Hearing at 8:09 p.m. and hearing no requests to speak, immediately closed the Public Hearing.

Chief Deputy City Clerk Garietz declared that no majority protest existed as no written protests were received against the formation of the Santa Maria Tourism Improvement District as of the close of the public hearing. She indicated that the formation may proceed to levy a two percent assessment on lodging businesses.

Council discussion
There was no Council discussion.

Resolution No. 2016-04 was adopted declaring the results of majority protest proceedings and establishing the Santa Maria Tourism Improvement District, on motion by Councilmember Zuniga, and seconded by Councilmember Waterfield, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2016-04 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DECLARING RESULTS OF MAJORITY PROTEST PROCEEDINGS AND ESTABLISHING THE SANTA MARIA TOURISM IMPROVEMENT DISTRICT.

6. 2016 TECHNICAL AMENDMENTS TO THE SANTA MARIA MUNICIPAL CODE. Assistant City Attorney Sinco gave a presentation as detailed in the Council Agenda Report. Each year, departments are invited to submit Santa Maria Municipal Code (SMMC) change requests to the City Attorney's Office for updating, clarification, simplification, clerical corrections, etc. The proposed 2016 Technical Amendments to the SMMC would: 1) Add compensation and appointment language so that the City Attorney chapter of the Code corresponds to the City Manager chapter; 2) Authorize the Library Board to adopt reasonable regulations for City Council approval, similar to the Recreation and Parks Commission which currently has this power; 3) Make clarifying changes to the City's personnel ordinance that relate to performance-based pay, components of compensation, holidays, medical terminology, and the appointment and compensation of the City Attorney; 4) Provide for City employees to execute contracts made by the City, when authorized by Council resolution; 5) Make changes to Titles 3 and 12 of the Municipal Code to allow the City's transient occupancy tax to function consistently and legally to clarify the meaning of transient occupancy and limit non-transient occupancies to properties with appropriate zoning, and provide hotel operators with due process before City employees examine hotel records; 6) Add a new category to the City's property nuisance ordinance to prohibit displays which identify activities that have not occurred at the address for ninety days or more to address some abandoned signs; 7) Repeal Chapter 6-9 of the Code, which clarifies state law concerning residency restrictions for sexual predators ("Jessica's Law") to comply with the California Supreme Court's ruling holding Jessica's Law unconstitutional; 8) Place an exception in Section 8-15.06(f) of the Code to facilitate using the Downtown Specific Plan to adjust growth mitigation fees; 9) Make several amendments to modernize the City's flood hazard ordinance in Chapter 9-10 of the Code resulting from a State Department of Water Resources Community Assistance visit to Santa Maria; 10) Revise Section 11-11.02 of the Code, to provide for voluntary merger by a property owner; and 11) Amend the City's zoning ordinance to update and add definitions for baths, hotel, and motel.

Public Input
There were no requests to speak.

Council Discussion
There was no Council discussion.

Ordinance No. 2016-05 was introduced by title only for first reading and continued to the next meeting for second reading and adoption, amending various sections of the Santa Maria Municipal Code relating to the City Attorney, Library Board, Personnel, Signage of Contracts, Transient Occupancy, Property Nuisance, Safety Inspections, Residency Restrictions, Parking, Payment of Growth Mitigation Fees, Flood Control, Voluntary Merger, Zoning Code Definitions, and Hotels/Motels, on motion by Councilmember Boysen, seconded by Councilmember Orach, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Orach, Waterfield, Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2016-05 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE SANTA MARIA MUNICIPAL CODE RELATING TO THE CITY ATTORNEY, LIBRARY BOARD, PERSONNEL, SIGNAGE OF CONTRACTS, TRANSIENT OCCUPANCY, PROPERTY NUISANCE, SAFETY

INSPECTIONS, RESIDENCY RESTRICTIONS, PARKING, PAYMENT OF GROWTH MITIGATION FEES, FLOOD CONTROL, VOLUNTARY MERGER, ZONING CODE DEFINITIONS, AND HOTELS/MOTELS.

7. EMERGENCY DISASTER PLAN UPDATE. The City Council considered a resolution approving Part I of the 2016 Multi-Hazard Emergency Response Plan. Interim Fire Chief Kenley gave a presentation as detailed in the Council Agenda Report. In 2011, the City secured a grant for the completion and integration of a Multi-Hazard Emergency Response Plan that would meet the planning needs of Santa Maria and the City of Guadalupe. The Plan has been updated and reviewed by the Santa Barbara County Office of Emergency Management and found to be compliant with all local codes. Adoption of the Plan Update will enable the City to be eligible to receive partial reimbursement for specified expenditures related to the response and recovery from emergencies that are declared disasters by either the Governor or the President.

The revised Plan will enable the City to respond to disasters using a coordinated process that is integrated with the County of Santa Barbara and State Emergency Plan.

Interim Fire Chief Kenley indicated that the Recreation and Parks Department was inadvertently left off the Service Department list on page 46 of the Multi-Hazard Emergency Response Plan. The line of succession is: 1) Director; 2) Park Services Manager; and 3) Recreation Services Manager. He requested that the Council include the amendment in their motion.

Public input
There were no requests to speak.

Council discussion
Mayor Patino commented that on Page 20, under Flood/Dam Failure, the second paragraph, where it is mentioned that "an additional 3,700 feet of the levy directly east of the completed work still needs to be rehabilitated" was incorrect. The levy rehabilitation has been completed for some time.

Resolution No. 2016-05 was adopted approving Part 1 of the 2016 Multi-Hazard Emergency Response Plan as amended, on motion by Councilmember Boysen, and seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES:	Councilmembers Boysen, Orach, Waterfield, Zuniga, and Mayor Patino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2016-05 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING PART 1 OF THE 2016 MULTI-HAZARD EMERGENCY RESPONSE PLAN.

REPORT BY CITY MANAGER:
City Manager Haydon reported the next City Council meeting would be on February 2, 2016, and would include the second readings of the Ordinances that were introduced at this meeting along with a Public Hearing for the Development Agreement with Laz-E-Daze Center on North Broadway. He also reminded everyone of the January 25th Measure U2012 Citizens' Oversight Committee Meeting beginning at 5:30 p.m. in Council Chambers. Discussions will include expenditures during the 2014-2015 Fiscal Year.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS):
Councilmember Boysen reported that he attended the Board of Supervisors Meeting where the expansion of funding for warming shelters was approved to extend the time the shelters will be open and establish temporary day shelters. In addition to the Good Samaritan Shelter, the Minami Center will be available during the day in inclimate weather.

Councilmember Orach reported that he attended a Local Agency Formation Commission Meeting and the Chamber of Commerce North County Luncheon.

Councilmember Waterfield reported that she attended the Workforce and Literacy Initiative Update; the NAACP Celebration of Martin Luther King Day; met with four different constituents regarding various issues; and attended a retirement celebration for California Highway Patrolman, Alex Carrillo.

Councilmember Zuniga reported that she attended a City staff meeting regarding the Downtown Specific Plan; a United Way Leveraging Opportunities to Meet Economic Challenges Forum; and a Prayer Walk.

Mayor Patino reported that she attended California Highway Patrolman Alex Carrillo's retirement celebration; spoke at the Life Is Sacred Community Event; participated in the Prayer Walk; and spoke on the Ben Heighes Radio Show.

ADJOURNMENT:
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 8:30 p.m.

APPROVED:

February 2, 2016
Date

Rhonda M. Garietz, CMC
Chief Deputy City Clerk and ex officio Clerk of the City Council

ATTEST:

Rhonda M. Garietz, CMC
Chief Deputy City Clerk

Alice M. Patino
Mayor of the City of Santa Maria